

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE

ESPERANZA DE LA CRUZ

CASE NO. 11-03837-SEK

DEBTOR

CHAPTER 13

**APPLICATION FOR AUTHORIZATION TO RETAIN COUNSEL**

TO THE HONORABLE COURT:

**COMES NOW** debtor in the above captioned case, through the undersigned attorney, and respectfully states and prays as follows:

1. Debtor filed the instant case on May 5, 2011.
2. Debtor desires and requires the employment of Ramon B. Rivera Grau, Esq. as counsel in order to continue to litigate an action commenced in state court by debtor against Operating Partners Co. Inc., and also to litigate possible claims against that defendant(s) and /or any insurance agencies.
3. Debtor believes that because Ramon B. Rivera Grau, Esq. has already been litigating in debtor's representation in this Civil action brought by debtor, its would be in the best interest of all parties that he continues representing debtor in matter related to *Esperanza De La Cruz Vs. Operating Partners Co. Inc.* [Civil Case No. KDP 2009-1515]. Debtor feels that Ramon B. Rivera Grau, Esq. is qualified to render the foregoing services.
4. The professional services that Ramon B. Rivera Grau, Esq. would perform are summarized as follows:
  - a) To prepare motions, pleading, orders, adversary proceedings, and other legal documents necessary in the litigation of any claims in favor of debtor.
  - b) To represent debtor in any negotiations with defendant or any insurance agencies.
  - c) To render legal counseling, legal opinions, prepare legal documents when deemed necessary and/or advisable, as these may relate to any claims initiated against defendant and/or any insurance agencies or in favor of debtor.

5. Based upon the Declaration attached hereto and marked as Exhibit #1, debtor believes that said Mr. Ramon B. Rivera Grau, Esq. does not hold or represents any interest adverse to the debtor or the debtor's estate and is a disinterested person within the meaning of 11 U.S.C. §101(13); and to the best of debtor's knowledge, he is not related or otherwise connected with the debtor, debtor's counsel or the United States Trustee, or any person employed by the Office of the United States Trustee, or any other party in interest.

6. Debtor has been informed that the normal billing rate of said attorney in this case is 33% of the proceeds ("contingency basis"). Debtor discussed with Mr. Ramon B. Rivera Grau, Esq. his availability to be employed as special counsel in this case and to perform the services required.

7. Mr. Ramon B. Rivera Grau, Esq. represented debtor prior to the bankruptcy petition, and no claim is being made against the estate for prior services and there are no outstanding bills or invoices to be paid to him.

8. Mr. Ramon B. Rivera Grau, Esq. also discloses that he has no agreement to share compensation or reimbursement to be received in this case with any person or entity.

**WHEREFORE** it is respectfully requested that debtor be authorized to employ Mr. Ramon B. Rivera Grau, Esq. as counsel, to render the services as described in the foregoing application, with compensation to be paid at the end of the civil case.

**I HEREBY CERTIFY** that a copy of this motion has been sent to creditors and all parties in interest as per matrix attached; also to the Chapter 13 Trustee and to the US Trustee.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico this 28 day of June , 2011.

/s/ Esperanza De La Cruz

ESPERANZA DE LA CRUZ

/s/ Roberto Figueroa Carrasquillo

ROBERTO FIGUEROA-CARRASQUILLO

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**DECLARATION**

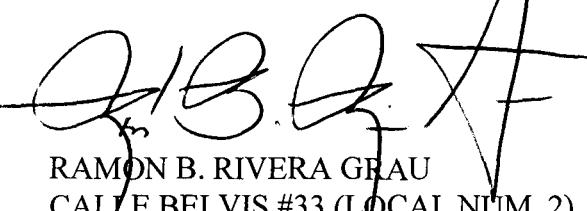
I, Mr. Ramon B. Rivera Grau, Esq., declare:

1. That I am an attorney duly admitted to practice before all the Courts of the Commonwealth of Puerto Rico since 2006.
2. That I am the attorney for debtor in Civil Case No. KDP 2009-1515 *Esperanza De La Cruz Vs. Operating Partners Co. Inc.*, brought by debtor, and I am the attorney debtor is seeking to employ by the application to which this Declaration is attached as Exhibit #1.
3. That I have experience in general civil law and civil litigation and I am qualified to represent debtor as counsel, and I am willing to accept employment on the basis set forth in the annexed application.
4. That my office is located at Calle Ruiz Belvis #33 (local num. 2) Caguas PR 00726.
5. That to the best of my knowledge I hold no interest adverse to the above entitled estate and I am a disinterested person as defined in 11 U.S.C. §101(13), nor am I, to the best of my knowledge, related or otherwise connected with debtor, the United States Trustee, debtor, the United States Trustee, debtor's counsel or any person employed by the Office of the United States Trustee other party in interest.
6. That there is no agreement to share any compensation or reimbursement to be received by any person or entity. 11 U.S.C. §504.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico this 28 day of June, 2011.



RAMON B. RIVERA GRAU  
CALLE BELVIS #33 (LOCAL NUM. 2)  
CAGUAS PR 00726  
TEL. & FAX (787)746-1933